

## **District II Advisory Board Minutes**

**March 3, 2003**

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library at 5939 E. 9<sup>th</sup> Street North.

### **Members Present**

Council Member Joe Pisciotte  
Martha Bruce Fair  
Michele Chauncey  
Charlotte Foster  
Larry Frutiger  
John Fuller  
Tim Goodpasture  
Joe Johnson  
Max Weddle\*  
Kathy Wegner

### **Guests**

George Angle  
Jean Angle  
Wayne Bolen  
Les Eck  
Brad Scott  
Kenneth White  
Robert Wilkins

### **Members Absent**

Marla Flentje  
Ray Hinderliter  
Shirley Jefferson  
Mike Jones  
Joe Patrick\*

**\* Denotes an alternate DAB member**

### **Staff Present**

Wayne Bolen, OCI  
Scott Knebel, MAPD  
Donte Martin, CMO

## **ORDER OF BUSINESS**

### **Call to Order**

The meeting was called to order at 7:00.

### **Approval of Minutes**

The minutes of the February 3, 2003 DAB II meeting were approved as amended (Johnson/Chauncey).

### **Approval of Agenda**

The agenda for the February 3, 2003 DAB II meeting was approved as amended. Item #4 was withdrawn at the request of the applicant (Chauncey/Bruce Fair).

## **PUBLIC AGENDA**

### **1. Scheduled items**

No items submitted.

### **2. Off-agenda items**

**Robert Wilkens**, 2451 Rutland Ct. addressed the DAB concerning a proposed parking lot adjacent to his property. This item was deferred at MAPC and Mr. Wilkins would like the assistance of DAB II in resolving this issue.

**CM Pisciotte** appointed a subcommittee to work with Sycamore Village HOA in addressing these issues.

## **PLANNING AGENDA**

### **3. PUD 2003-01 (PUD #16)**

**Scott Knebel**, MAPD, presented the staff report, detailed items of contention, and answered DAB member questions. Items of contention included signage, lighting, setbacks, and landscaping.

**Kim Edgington**, agent for the applicant, explained the applicant's request. Edgington stated the signage is being requested due to lost signs and that the applicant needs signage that will be visible from motorists traveling Kellogg when the Kellogg project is completed. Kellogg will be elevated making it difficult for motorists to see a sign that is not elevated above the highway.

Edgington stated the former Planning Director waived the setback requirements previously and that the applicant is making changes to its site due to changes on Rock Road. If the applicant did not have to make these changes the setback requirement would remain waived.

Edgington explained the lighting changes would direct light to the center of the lot and away from residential areas. The applicant will work with MAPD staff to address landscaping concerns.

**Knebel** and **Edgington** reached agreement on all items of contention aside from the signage issues.

**CM Pisciotte** closed the public comment and the remaining discussion was between DAB members.

**Michele Chauncey** expressed concern with allowing a 400 sq. ft. sign 80ft. high at the location. Chauncey feels allowing these signs and other proposed signage on this car lot goes against the City of Wichita's efforts to beautify this corridor.

**John Fuller** stated the applicant would need this type of signage due to Kellogg being elevated in this area.

**Tim Goodpasture** suggested staff the DAB approve the items that staff and the applicant agree on. Goodpasture recommended staff continue working with the applicant to address signage concerns.

**Tim Goodpasture (Bruce Fair)** moved to recommend the request be **APPROVED**, subject to replatting the property within one year, signage issues being resolved prior to MAPC approval, and the following conditions. The motion passed (8-0).

1. Signs shall be determined through a compromise between staff and the applicant prior to the MAPC hearing.
2. General Provision #7 shall be modified to add the following:

Parking areas shall be developed per a site circulation plan approved by the Planning Director prior the issuance of a building permit. Parking spaces for employees and customers shall be marked and designated for employees and customers only and shall not be used for display of vehicles for sale, unless the vehicle is driven by an employee.
3. General Provision #9 shall be modified to replace the reference to “CUP” with a reference to “PUD.”
4. General Provision #11 shall be modified to indicate that the location of access openings shall be approved by the Traffic Engineer. The PUD plan shall be modified to relocate the eastern-most access opening on the Kellogg Frontage Road to a location approved by the Traffic Engineer. The PUD plan also shall be modified to illustrate the Armour Frontage Road as one-way southbound with a right turn channeling design at the Kellogg Frontage Road per the design approved by the City Engineer.
5. The reference to landscaping in the “Notes” section shall be moved to General Provision #12 and changed to require 30 shade trees or the equivalent. The existing language in General Provision #12 shall be deleted and replaced with the following:

Landscaping shall be installed per a landscape plan approved by the Planning Director prior to the issuance of a building permit. Required landscaping may be installed within the street right-of-way if a use of street permit is approved by the City Engineer.
6. The second sentence of General Provision #14 shall be deleted and replaced with the following: “All lights shall be shielded to direct light downward, with light source not visible from adjacent residential uses. Lights poles shall be limited to a height of 25 feet.”
7. General Provision #15 shall be modified to replace the term “apartment complex” with the term “residential uses.”
8. General Provision #17 shall be modified to add: “per the Screening Standards of the Unified Zoning Code.”
9. General Provision #18 shall be modified to delete the phrase “on any building elevation visible from public right-of-way” and to add the following: “Building elevations shall be reviewed for consistency in architectural character by the Planning Director prior to the issuance of a building permit.”
10. General Provision #21 shall be modified to add the following: “Outdoor speakers and sound amplification systems shall not be permitted, except for a monitored security system and

weather notification system.”

11. A general provision shall be added that states the following: “There shall be no use of elevated platforms for the display of vehicles.”
12. For Parcel #1, Item #2, the “Maximum Gross Floor Area” shall be added and shall be limited to 32% or 213,695 square feet.
13. Parcel #1, Item #3 shall be modified to add: “except north of the Willow Brook height shall be limited to one story or 30 feet.”
14. Parcel #1, Item #4 shall be modified to state “Setbacks from abutting properties shall be as illustrated on the plan.” The plan shall be modified to provide a 20-foot building setback line along the north and west property lines where abutting the apartment complex south of the electrical substation.
15. For Parcel #1, Item #5, the phrase “ related to vehicle sales, including” shall be replaced with the phrase “shall be limited to following uses and any use determined by the Zoning Administrator to be accessory to or customarily associated with the following uses.” Also, “outdoor storage” and shall be removed from the list of permitted uses.
16. Parcel #2 shall be eliminated and the property incorporated into the Parcel #1.
17. The plan shall be modified to show all proposed encroachments of fences, landscaping, parking areas, display areas, and other privately-owned improvements onto public right-of-way. Encroachments of such improvements onto public right-of-way may be permitted only with approval of a use of street permit by the City Engineer.
18. Approval of the PUD shall supersede and make null and void DP-12 Kellogg Mall CUP and BZA Resolution No. 28-94 as they pertain to the subject property.
19. The applicant shall submit four 24” x 36” folded copies and one 11” x 17” copy of the PUD to the Metropolitan Area Planning Department within 60 days after approval of the

**Action Taken: Approved with conditions.**

#### **4. ZON2002-00066**

**THIS CASE WAS DEFERRED AT THE REQUEST OF THE APPLICANT’S AGENT**

**Action Taken: Deferred**

### **STAFF PRESENTATIONS**

#### **5. Overview of Recommended Ordinance Amendments to Title 19 (City of Wichita Electrical Code)**

**Wayne Bolen, OCI**, reviewed the proposed amendments to Title 19. Bolen explained that the National Electrical Code, published by the National Fire Protection Association, is revised every

three years to keep current with changing industry standards and practices. The 2002 edition of the NEC is the latest and most current edition. The City of Wichita is currently enforcing the 1999 edition of this code. The Board of Electrical Appeals along with the Office of Central Inspection staff has reviewed this latest edition of the NEC in detail since February of 2002. They solicited input from various electrical trade organizations and other interested individuals and a public hearing was held on August 27, 2002. At the September 10, 2002, Board meeting, the Board voted unanimously to recommend to City Council that the 2002 edition of the National Electrical Code be adopted (by reference in Title 19) with revisions as the electrical wiring standard for the City of Wichita.

As a point of information, a new section of the 2002 National Electrical Code (Section 210-12 Arc Fault Circuit-Interrupter Protection) has drawn opposition from the Wichita Area Builders Association. The new section requires that all new branch circuits installed that supply 125-volt, single-phase, 15 and 20-ampere outlets installed in dwelling unit bedrooms shall be protected by an arc-fault circuit interrupter.

At the August 13, 2002, Board of Electrical Appeals meeting, WABA President and CEO Wes Galyon and WABA Codes Committee Chairman Dave Sproul addressed the Board concerning this section of the code. Mr. Galyon stated the association feels the AFCI requirement results in higher costs being imposed on the public without definite proof the utilization will result in an improved product. They requested this section of the 2002 NEC be amended out and not required in the City of Wichita.

However, the Board disagreed. They feel the use of arc-fault circuit-interrupter circuit breakers in new construction would result in fewer fires and save lives. They based their decision on additional data and documentation supporting arc-fault circuit-interrupters. They concluded that they provide a far safer degree of protection than conventional circuit breakers and will add an important level of safety in dwellings. They also feel the cost is minimal. Therefore at the September 10, 2002, Board meeting, the members voted unanimously to not recommend amending this section out of the 2002 NEC.

## **BOARD AGENDA**

### **6. Updates, Issues, and Reports**

No items were submitted

### **7. Next Meeting**

The next regularly scheduled DAB II meeting will be March 17, 2003 at the former Magdalen School near Kellogg and Woodlawn.

**With no further business the meeting adjourned at 9:15 p.m.**

Respectfully submitted,

Donte Martin  
Neighborhood Assistant  
District II